

TYPE III REVIEW/OPTIONAL SEPA AND LIKELY DETERMINATION OF NON-SIGNIFICANCE

(Form DS1302B)



NOTICE OF DEVELOPMENT REVIEW APPLICATION (Type III) AND LIKELY SEPA DNS

The Clark County Department of Community Development has received an application for development review, as described below. This application is subject to public notice and a public hearing conducted pursuant to Clark County Code (CCC) Chapter 40.500, and other applicable laws as listed below. The County, as SEPA lead agency, expects to issue a **Determination of Non-Significance (DNS)**.

The Clark County Hearings Examiner will conduct the public hearing on **Thursday January 27, 2004 at 7:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 6pm.

Project Name: **BELLA TERRA TIER II INFILL SUBDIVISION**

Case Number: **PLD2004-00086; SEP2004-00153; EVR2004-00079**

Location: 11500 & 11504 NE 76th Street

Request: The applicant is requesting to subdivide an approximate 2.21 acre parcel into 13 single-family residential lots, one of which may be used for a duplex unit, using the Tier II Infill Standards. The property is located in the R1-7.5 zone district.

Applicant: Harb Engineering, Inc.
Attn: Gus Harb, P.E.
900 Washington Street
Vancouver, WA 98660
(360) 695-6520; (360) 695-8124 FAX
E-mail: gus@harbengineering.com

Contact Person: Same as applicant

Property Owner: Same as applicant

Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. However, the proposal may already include impact mitigation measures in conformance with adopted development standards and applicable laws noted below. In addition, the development review process may result in mitigation measures being incorporated or required as a condition of approval. A copy of the combined Development Review/SEPA Checklist Review Staff Report and SEPA Threshold Determination, when completed, will be available for viewing at the Customer Service Center, 1300 Franklin Street, Vancouver, and may be obtained upon request.

A SEPA threshold determination is required by state law and Clark County Code (CCC), Section 40.570.040. Based on a review of the submitted application materials, the County expects to issue a Determination of Non-Significance (DNS) for the proposal pursuant to the "optional DNS process" allowed by state law and CCC 40.570.040(D).

Hearing Examiner: Richard Forester

Staff Contact: Richard Daviau ext. 4895

Neighborhood

Contact: Area Not Represented

Date this Public Notices Issued: December 10, 2004

Legal Description of Property: (Parcel Numbers 104351-000 & 104354-000)
Northeast Quarter of Section 09, Township 2 North Range 2 East of the Willamette Meridian

Approval Standards/Applicable Law:

Clark County Code Sections: Title 15 (Fire Protection), Title 24 (Public Health), 40.220.010 (Single-Family Residential Districts), 40.260.110 (Residential Infill), 40.350 (Transportation and Circulation), 40.370 (Sewer and Water), 40.380 (Stormwater and Erosion Control), 40.540 (Land Division), 40.570 (SEPA), 40.610 (Impact Fees), and RCW 58.17.110.

Application & Fully Complete Date:

Application Filed: September 21, 2004
Fully Complete: October 12, 2004

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type IIT Applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information. Information regarding this application can be obtained by contacting **Richard Daviau, at (360) 397-2375, Ext. 4875**, or the Public Service Center, Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday through Friday.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Public Testimony Process:

Any person wishing to present testimony should arrive by **7:00 p.m.** at the Public Service Center, 6th floor, 1300 Franklin Street, Vancouver, Washington.

Faxed & Written Testimony:

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: Angie Merrill. Written testimony can be mailed or hand delivered to the Development Services Division, Clark County Community Development, 1300 Franklin Street, PO Box 9810 Vancouver, WA 98666-9810. Comments received by two weeks after the notice will be considered in the staff report.

Faxed, mailed or delivered testimony must be received at the Community Development Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Appeals:

Appeals of the SEPA threshold determination must be made in writing and accompanied by a **\$186** appeal fee, within fourteen (14) calendar days of the issuance of the threshold determination. NOTE: This notice does NOT constitute a threshold determination. It is only the notice of a potential determination that will be made after the comment period expires.

Appeal procedures for SEPA decisions can vary according to the type of decision being reached. Please contact the Community Development Department with questions about appeals.

Public Comment:

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the final SEPA threshold determination and development review staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

No additional comment period will be provided, unless probable significant environmental impacts are identified during the review process that would require additional study or special mitigation.

Anyone who submits comments to the County in response to this notice will be considered a party of record and will be mailed a copy of that staff report and determination.

Please address your comments to:

**Attn: Richard Daviau
Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

Or contact richard.daviau@clark.wa.gov

Date of this Notice: December 10, 2004

<p><u>Closing Date for SEPA Comments:</u> December 24, 2004</p>

(This notice is being provided to agencies with jurisdiction, including the Department of Ecology, affected tribes, and local agencies whose services would be impacted by implementation of this proposal.)

Attachments:

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan